

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PRESTON HOLLOW CAPITAL LLC,

Plaintiff,

20-cv-5597 (PKC)

-against-

ORDER

NUVEEN LLC, NUVEEN INVESTMENTS,
INC., NUVEEN SECURITIES LLC, NUVEEN
ASSET MANAGEMENT LLC, and JOHN V.
MILLER,

Defendants.
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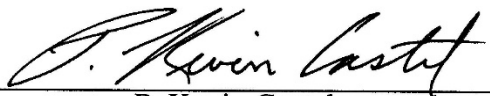
CASTEL, U.S.D.J.:

The limited subject matter jurisdiction of a district court is best addressed at the outset of a case. It falls upon the Court to raise issues of subject matter jurisdiction sua sponte.

Section 1332(a)(1) provides that “[t]he district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states.” 28 U.S.C. § 1332(a). An action premised upon diversity of citizenship in which a limited liability company is a party must allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities that are members of the limited liability company. See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship, 213 F.3d 48, 51-52 (2d Cir. 2000) (citing Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir. 1998)); Strother v. Harte, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”); Rule 8(a), Fed. R. Civ. P.

Here, the plaintiff, Preston Hollow Capital LLC, does not allege the citizenship of its constituent members (persons and entities), nor does it allege the citizenship of the constituent members (persons and entities) of defendants Nuveen LLC, Nuveen Securities LLC, and Nuveen Asset Management LLC. The complaint merely states that each corporate party is organized and existing under Delaware law, and that individual defendant John Miller is a resident of Illinois. (Compl. (Doc 1) ¶¶ 14-19.) The plaintiff shall amend its complaint to allege truthfully and accurately the citizenship of each of its constituent members and serve an interrogatory upon the defendant limited liability companies seeking the citizenship of the members of the defendant LLCs. Plaintiff shall amend its complaint within 30 days or the diversity jurisdiction allegations will be dismissed from the complaint.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
July 22, 2020